
**SUPPLEMENTAL MATERIAL
OCTOBER 13, 2004
CITY COMMISSION MEETING**

SUPPLEMENTAL MATERIAL

C7 - Resolutions

- C7D A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Auctioneers Pursuant To Request For Proposals (RFP) No. 30-03/04 For The Selection Of An Auctioneer To Sell To The Highest Bidder City-Owned Property Located At 2620 Biarritz Drive; Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm Of Fisher Auction Co. Inc., And Should The Administration Not Be Able To Negotiate An Agreement With The Top-Ranked Firm, Authorizing The Administration To Negotiate With The Second-Ranked Firm Of National Auction Company; And Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon The Completion Of Successful Negotiations By The Administration.

(City Manager's Office)

(Additional Information)

- C7L A Resolution Setting A Public Hearing On November 10, 2004, To Consider An After-The Fact Revocable Permit Request By Doron Valero, For Retaining A Masonry Fence Wall In The City Right-Of-Way, Enclosing Approximately 66 Sq. Ft., Adjacent To His Property, Located At 320 South Coconut Lane, Miami Beach, Florida.

(Public Works)

(Resolution)

- C7O A Resolution Setting A Public Hearing For November 10, 2004, To Consider Waiving By 5/7ths Vote, The Disqualification Of Waste Management Of Dade County From Serving As A Vendor With The City Pursuant To Miami Beach City Code Section 2-487 (B) (4), Finding Such Waiver To Be In The Best Economic Interest Of The City, Regarding The Non-Exclusive Franchise Agreement For Residential And Commercial Waste Collection And Disposal In The City Of Miami Beach.

(Public Works)

(Additional Information)

- C7P A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals Received Pursuant To Request For Proposals (RFP) No. 32-03/04, For Citizen/Public Opinion Survey Services; Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm Of Hay Group, Inc., And Should The Administration Not Be Able To Negotiate An Agreement With The Top-Ranked Firm, Authorizing The Administration To Negotiate With The Second-Ranked Firm Of The Center For Research And Public Policy; Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon Completion Of Successful Negotiations By The Administration.

(City Manager's Office)

(Additional Information)

R5 - Ordinances

- R5L An Ordinance Amending Chapter 2 Of The City Code Entitled "Administration" By Amending Article III Entitled "Agencies, Boards And Committees" By Creating Division 31 To Be Entitled "The North Shore Park And Youth Center Advisory Board" And Providing For The Purpose, Powers And Duties, Composition, Knowledge And Experience, And Supporting Department Of Said Board; Further Providing For Codification, Repealer, Severability, And An Effective Date.

(City Manager's Office)
(Additional Information)

SUPPLEMENTAL MATERIAL

FOR

ITEM C7D

Agenda Item C7D
Date 10-13-04



ACCELERATED MARKETING PLAN SUMMARY

Fisher Auction Co., Inc. fully understands the proposed engagement of marketing City owned Real Property at 2620 Biarritz Avenue in Miami Beach, Florida.

Our present schedule and similar engagement experience allows us to conduct the Auction on or before forty five (45) to sixty (60) days following executed agreement / City approval.

We will implement telemarketing prior to the Auction to familiarize prospective bidders/ brokers with the Government Auction procedures, the broker co-op arrangements and the property being offered.

Furthermore, Fisher Auction Co., Inc. will actively monitor all pre-auction activities on a daily basis and report all progress and concerns directly to the City Project Manager or Contract Administrator on a daily / weekly basis. Our Marketing Program will assist in determining the estimated recovery price and outline the blueprint for a successful event.

In order to conduct a successful Auction, some of the key points - will be the amount of current information available, a well targeted and executed Advertising / Marketing Program and broker co-op arrangements. This plan will ensure active participation from prospective bidders and the local brokerage community.

A few of our suggestions for the Auction include:

- 1) Conducting a Pre-Auction "How to Bid" Seminar for brokers and prospective purchasers.
- 2) Supplementing the City of Miami Beach's current database of interested prospects with our VIP National buyer database.
- 3) Utilize absentee bids on the Internet for those prospects who are not able to attend the Auction.
- 4) Compile and assemble extensive property information packages containing all features, title and legal information for distribution to interested bidders / brokers conducting their presale due diligence.
- 5) Design and create an aggressive public relations campaign in the Local Market, Northeast and Nationally. Use advertorials for supplementing the print ad media campaign.
- 6) Setting up possible telephone downlinks for out of State bidders auction day.
- 7) Contact third party financing alternatives to provide attractive investor / developer financing.
- 8) Use Internet exposure / linking for additional exposure e.g. Fisher Auction Co., Inc.'s site with City of Miami Beach's site.



ACCELERATED MARKETING PROPOSAL

Scope of Services:

Fisher Auction Co., Inc. proposes to conduct an open out-cry Auction for the waterfront parcel located on Biscayne Bay at 2620 Biarritz Avenue consistent with all services described and contained herein. All advertising and the terms of the offering will first require each prospective buyer to register with certified funds to bid for the Property on a specific day, date and time to be mutually agreed. Additionally, we will work with the City's Contract Administrator / Project Manager to develop all required forms and the General Terms and Conditions of Sale to achieve the City's objectives.

Time to Conduct Event:

The Event can take place within 45 to 60 days of executed agreement or notice to proceed, which allows for sufficient time to implement our marketing program and capitalize on industry trade periodical deadlines. Should time be of the essence, a sale could be conducted sooner; however, without advertising in the industry trade periodicals.

Location of Event:

The Auction will be conducted on site.

Property Inspections:

We realize the importance of the pre-bid property inspections; therefore, we will make available pre-scheduled inspections to accommodate local, regional and any national buyers.

Records will be maintained regarding each buyer inspecting the Property. These records will enable us to determine interest and identify specific concerns and objections (if any).

Marketing Strategy:

The marketing strategy will be to promote the Property to Developers, Investors, Residents in the geographical area of property, Professionals, Real Estate Brokers, CCIM's, etc. A proactive public relations campaign will be created and designed for approval to enhance the paid advertising program.

Marketing Highlights:

We will develop and implement the design, layout, and production of the Property Sales Brochure with the assistance of Creative Marketing Specialists. We propose to print 2,000 brochures listing property information as follows:



- Specific description of the property offered for sale
- Site area(s)
- Investment / Development highlights
- Zoning
- Photographs
- Location maps
- Directions to the property
- Contact information

Additionally, the brochure will contain the general terms and conditions of sale with particular emphasis given to the following items:

- Property Information Package Order Form
- Purchaser Requirements to Bid
- Property Inspection Information
- General Bid Instructions
- Broker Participation
- Location, Directions, Date, Time and Place of the Sale

Further exposure will be national, regional and local media advertisements, strategic signage, the Internet / posting and linking, telemarketing, and personal solicitations. All interested prospects will have access to our toll free 800 number 24/7 with automated information and access to our web site 24/7 for downloading all information.

Auction Methodology:

Property will be sold to the highest bidder subject to City approval.

Bidder's Deposit:

A Bidder's Deposit, made payable to the designated escrow agent, must accompany each registration. The funds must be a certified bank check or a cashier's check.

By requiring certified deposits we are assured bidders are serious and financially qualified.

Real Estate Sales Contract:

The high bidder must also tender an additional deposit totaling 10% of the purchase price, if needed, day of sale.

The Highest Bidder will execute a City approved "Non-Contingency" Real Estate Sales Contract Auction Day. Back-up



bidders will be required or encouraged to execute a secondary Contract.

The 10% deposit is forfeited as liquidated damages if the Buyer does not close the transaction as set forth herein.

Property Guarantees:

The Property will be sold in its "As Is", "Where Is" condition and with all faults, with no guarantees or warranties expressed or implied.

The only guarantee is to provide title through either a Quit Claim or Special Warranty Deed. We recommend you provide an updated Owner's Title Commitment. The Owner's Title Insurance Policy will be at the Buyer's expense and must be obtained from your designated Closing Agent.

Real Estate Closing:

The closing on the Property will take place within 30 - 45 days from acceptance and a fully executed agreement and through your designated closing agent.

Due Diligence:

We will provide to Potential Buyers, at their expense, a complete Property Information Package. We will coordinate and implement the following responsibilities:

- Prepare a comprehensive overview summarizing all property information and logically organize the contents of the Property Information Package.
- Review the most recent aerials and ground level photographs and order current photographs if applicable.
- Coordinate the production of all packages and periodically estimate production quantities so as to provide immediate response to buyer request and limit production costs.
- The standard package charge will include a fee for overnight delivery to insure that all buyers receive a prompt response.

Special Note: Fisher Auction Co., Inc. will carefully track the dissemination of all Property Information Packages.



Seller's Expense:

Upon an executed agreement, we will prepare for approval, a detailed line by line estimated marketing and promotional budget for all parties review and will provide a complete expense portfolio with copies of paid invoices, advertisements, etc. verifying each expense before the final closing occurs.

For this important Auction, we are proposing an advertising / marketing budget of twelve thousand, six hundred and eighty dollars (\$12,680.00) to include the following:

- Wall Street Journal
- Industry Trade Periodicals
- Local Media Placement in Miami Herald, El Nuevo Herald, International Herald, New York Times
- Daily Business Reviews
- National Broadcast E-mail to 360,000 opt in portals of real estate entities
- 2,000± Brochures and postage to our VIP mailing lists, specialty lists and the inquiry / contact database supplied by City of Miami Beach
- Internet Exposure (posting and linking)
- Telemarketing
- Signage
- Photography
- Property Information Packages
- Auction Day Security

All promotional materials will be submitted for approval and signed off by the City's designee e.g. Project Manager or Contract Administrator, before any printing / placement takes place.

Broker Participation:

We presently maintain healthy brokerage relationships, which will fully expose the Property and facilitate the sale. Broker participation will be encouraged and they will be compensated three percent (3%) from the total commission. A good portion of time will be spent communicating over the phone with area brokers through proactive marketing. Our team is focused on maximizing broker participation and expediting sales by maintaining an open line of telephone (as well as face to face) communications with brokers. We understand the importance of maintaining productive working relationships with brokers in



order to maximize sale results and have extensive experience interfacing with brokers throughout the United States and abroad.

Day of Sale Plan:

All pre-sale advertising will be directed toward receiving non-contingent offers from interested prospects on a certain day, date, and time. The Auction will be conducted on site and all prospective buyers and or their representatives will be required to attend. All bids will be logged for our final Auction Summary Report. The Auction will be conducted by Fisher Auction Co., Inc., along with local Assisting Brokers and video taped to provide sufficient documentation of the results.

Fisher Auction Co., Inc.'s staff has experience in crowd management and bid calling. Additionally, they will also be responsible for escorting the winning bidder to the contract table and collecting back-up bidder's cards. Back-up bidder cards are very effective in the post Auction sales program, if needed.

At the conclusion of the contract procedure the City will have a binding purchase contract, opened escrow, and a non-refundable deposit.

Project Manager:

Louis B. Fisher, III, CEO of Fisher Auction Co., Inc. will be the Project Director for this important Auction and will oversee the entire Auction process keeping all parties constantly informed. Lamar Fisher, President will be the Project Manager.

Conclusion:

Fisher Auction Co., Inc. is the "Standard of Excellence" in the Accelerated Marketing for real estate properties.

Winner of numerous national awards Fisher is one of the largest and most successful specialty brokers providing professional Auction services for liquidation and cash conversion of real estate inventories in both the public and private sectors of our economy.

Fisher Auction Co., Inc. is currently ranked in the top ten largest Auction Firms in the United States and we are very proud of our successful track record.



We believe the property, the Auction Marketing Budget and the Auction procedures we have designed will ensure an excellent Auction Event achieving your objective of a complete sale in a condensed period of time. Fisher Auction Co., Inc. pledges 110% of our dedicated best efforts toward making the City of Miami Beach's Auction a complete success!

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PUBLIC HEARING ON NOVEMBER 10, 2004, TO CONSIDER AN AFTER-THE FACT REVOCABLE PERMIT REQUEST BY DORON VALERO, FOR RETAINING A MASONRY FENCE WALL IN THE CITY RIGHT-OF-WAY, ENCLOSING APPROXIMATELY 66 SQ. FT., ADJACENT TO HIS PROPERTY, LOCATED AT 320 SOUTH COCONUT LANE, MIAMI BEACH, FLORIDA.

WHEREAS, Doron Valero (Applicant) owns the residential property located at 320 South Coconut Lane (Property), on Palm Island; and

WHEREAS, the Applicant had applied and obtained a permit to construct a new residence on the Property; and

WHEREAS, due to the Applicant's surveyor's omission of a platted radius at the northeast corner of the Property, a masonry fence wall beyond this return radius portion was constructed within a portion of the public right-of-way, according to the building plans to accommodate the sliding gate in the fence; and

WHEREAS, during a survey of Palm Island it was discovered that said masonry fence wall constructed on the Property was encroaching on the platted return radius and the Applicant was informed of this; and

WHEREAS, to retain the masonry fence wall as constructed, the Applicant has completed the application requirements for a Revocable Permit, as required by the City Code, for the use of approximately 66 sq. ft., of the aforementioned public right-of-way; and

WHEREAS, pursuant to Chapter 82, Article III, Division 2, Section 82-93 of the City Code, the Mayor and City Commission are required to hold a public hearing to consider the aforesated request for a Revocable Permit.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that a public hearing to consider a request for an after-the-fact Revocable Permit by Doron Valero, as owner of the residential property located at 320 South Coconut Lane, Miami Beach, Florida, to retain a masonry fence wall within the return radius portion of the adjacent public right-of-way, enclosing approximately 66 sq. ft., is hereby called to be held before the Mayor and City Commission in their Chambers on the Third Floor of City Hall, 1700 Convention

Agenda Item C7L
Date 10-13-04

Center Drive, Miami Beach, Florida, on November 10, 2004, beginning at _____, and the City Clerk is hereby authorized and directed to publish appropriate public notice of the said Public Hearing in a newspaper of Miami Beach, at which time and place all interested parties will be heard.

PASSED and **ADOPTED** this _____ day of _____, 2004

ATTEST:

MAYOR

CITY CLERK

T:\AGENDA\2004\Oct1304\Consent\320SCoconutLaneReso.doc

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

 12-11-04
City Attorney Date

FAX

To: Jorge M. Gonzalez
Fax: 305-673-7782
From: Alfredo L. Gonzalez
Ref #: 009440.0031

Company: City Manager - City Clerk
Phone: 305-673-7010

Date: October 12, 2004

of Pages: 10

☒ Urgent

☐ For Review

☐ Please Reply

☐ Please Comment

Comments:

Re: Waste Management
Ethics Complaint No. 04-21

See attached correspondence of even date including Notice of Appeal and Motion for Rehearing and/or To Withdraw Public Report and Order Accepting Settlement Agreement

From the desk of ...

Alfredo L. Gonzalez
Adorno & Yoss, P.A.
2601 South Bayshore Drive, Suite 1600
Miami, Florida 33133-5412

(305) 860-7285
Fax: (305) 858-4777

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M1265528_1)

Agenda Item C70

Date 10-13-04

ADORNO & YOSS
A PROFESSIONAL ASSOCIATION
2601 SOUTH BAYSHORE DRIVE, SUITE 1600
MIAMI, FLORIDA 33133-5412
PHONE: (305) 858-5555, FAX: (305) 858-4777
WWW.ADORNO.COM

ALFREDO L. GONZALEZ

DIRECT LINE: (305) 860-7285
EMAIL: ALC@ADORNO.COM

October 12, 2004

VIA HAND DELIVERY

Murray Dubbin
City Attorney
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

Re: Waste Management
Ethics Complaint No. 04-21 Attached as Exhibit "A"

Dear Mr. Dubbin:

Enclosed please find Notice of Appeal and Motion For Rehearing and/or To Withdraw Public Report and Order Accepting Settlement Agreement as Exhibit "B" that we have filed on behalf of our client, Waste Management Inc. of Florida in relation to the Order of the Miami-Dade Commission on Ethics referred to above. This Order is the basis for the public hearing recommendation set forth in the Manager's recommendation attached hereto as Exhibit "C."

We believe that due to the filing of this appeal it is premature for this item to come before the City of Miami Beach Commission. We hereby request that this matter be deleted from the Agenda for public hearing on Wednesday, October 13, 2004.

Please call me to let me know of your final decision.

Very truly yours,

ADORNO & YOSS, P.A.

Alfredo L. Gonzalez

ALG/bsc

Enclosures

cc: Robert Parcher, City Clerk, City of Miami Beach
Jorge M. Gonzalez, City Manager, City of Miami Beach



CLERK OF THE BOARD
APR 07 - 8 PM 1:28
MIAMI-DADE COUNTY COURTS
MIAMI, FLA.

MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: Waste Management
Of Dade County

Complaint No. 04-21

PUBLIC REPORT AND ORDER ACCEPTING SETTLEMENT AGREEMENT

The Advocate, ["Complainant"] filed the above-captioned complaint against Waste Management of Dade County, ["Respondent"] alleging violations of Section 2-487 of the Miami Beach City Code, which prohibits campaign contributions by City vendors to candidates for City Mayor or City Commissioner.

Respondent has a non-exclusive franchise agreement with the City. Under the agreement, Respondent pays the City a percentage of its gross receipts and provides garbage collection service to city facilities in exchange for the right to recruit customers within city limits. According to the facts outlined in the complaint, the Respondent contributed five hundred dollars (\$500.00) to the campaign of Simon Cruz, a candidate for City Commissioner in October 2003. Respondent does not refute this fact. Further, Complainant states that at the time the contribution was made, Respondent was listed as a vendor on the City's vendor list.

Respondent claims that the franchise agreement with the City conferred "franchisee" status, not "vendor" status for purposes of the City vendor list, and accordingly, Respondent was permitted to make a campaign contribution.

On August 18, 2004 the Ethics Commission found probable cause to sustain the allegations in the complaint. However, because the violation may have been inadvertent due to the misunderstanding about the term "vendor", the Ethics Commission, pursuant to Section 2-1074 of the Miami-Dade County Code, accepted the agreed upon settlement between Complainant and Respondent, whereby, the complaint was dismissed and the Respondent agreed to pay to the Ethics Commission a fine of five hundred dollars (\$500.00). In full satisfaction of this complaint, the Respondent accepts the attached letter of instruction.


Therefore it is:

ORDERED AND ADJUDGED THAT the Respondent violated Section 2-487 of the Miami Beach City Code, and that pursuant to the settlement agreement, the complaint is dismissed with the Respondent paying to the Ethics Commission a fine of \$500.00.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics and Public Trust in public session on August 18, 2004.

MIAMI-DADE COUNTY COMMISSION
ON ETHICS AND PUBLIC TRUST

By:


Kerry Rosenthal
Chairperson

MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: Waste Management of
Dade County

Complaint No.: 04-21

**RESPONDENT'S MOTION FOR REHEARING AND/OR TO WITHDRAW
PUBLIC REPORT AND ORDER ACCEPTING SETTLEMENT AGREEMENT**

The Respondent, Waste Management of Dade County, moves this Miami-Dade Commission on Ethics & Public Trust to schedule a rehearing and/or withdraw its Public Report and Order Accepting Settlement Agreement. As grounds for this Motion the Respondent alleges:

1. On August 18, 2004 the Respondent appeared before the Commission in regard to concluding this matter.
2. Prior to the Commission hearing, counsel for the Respondent and the Advocate engaged in discussions with the purpose of identifying the issues and resolving this matter.
3. On May 21, 2004, the Advocate sent a letter to Respondent's counsel outlining his position that the complaint be dismissed with a letter of instruction sent to the Respondent. (Exhibit 1).
4. Concurrent with the May 21, 2004 letter the Advocate prepared a Settlement Order which reflected the Respondent's understanding of the resolution. (Exhibit 2).
5. On September 14, 2004, the Respondent received the Commission's Public Report and Order Accepting Settlement Agreement and a Letter of Instruction. Both in the Public Report and Letter of Instruction the Commission . . . "found probable cause to sustain the allegations in the complaint." Far worse for the Respondent the Public Report and Order made the specific finding that the Respondent violated Section 2-487 of the Miami Beach Code.
6. The finding of probable cause by the Commission was not contemplated by the Respondent and is inconsistent with the parties' settlement understanding. Nothing in the communication between the Advocate or the Respondent reflects that the Commission would make any such finding. Nor

"B"

was it agreed to by the Respondent that it would accept a finding that it violated Section 2-487 of the Miami Beach City Code.

7. Both the Public Report and Order as well as the Letter of Instruction violated the terms and conditions of the proposed settlement agreement.

8. Additionally, although the Commission entered its Order on September 8, 2004, Respondent did not receive it until September 14, 2004. Accordingly, the interests of justice require the Commission to reissue its opinion to provide Respondent with its due process rights to obtain review. *W.T. Holding, Inc. v. State Agency for Health Care Admin.*, 682 So.2d 1224 (Fla. 4th DCA 1996).

WHEREFORE, the Respondent, Waste Management of Dade County, respectfully requests that the Miami-Dade County Commission on Ethics void its Public Report and Order Accepting Settlement and set a hearing before the Commission.

Respectfully submitted,


ABORNO & YOSS, P.A.

By: _____

Michael R. Band

Florida Bar Number: 228338

2601 South Bayshore Drive, Suite 1600

Miami, Florida 33133-5412

Phone: (305) 858-5555

Fax: (305) 858-4777

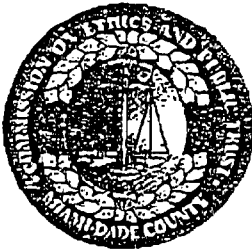
Attorneys for Waste Management of Dade County

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. mail this 12th day of October, 2004 to: Michael Murawski, Advocate, Miami-Dade Commission on Ethics and Public Trust, 19 West Flagler Street, Suite 207, Miami, FL 33130.


Michael R. Band

May 21, 2004



Michael R. Band, Esq.
Adomo & Yoss, P.A.
2601 S. Bayshore Dr., Suite 1600
Miami, FL 33133

ETHICS COMMISSIONERS

Kerry E. Rosenthal, Chairman
Robert H. Newman, Vice Chairman
Gail Dotson
Dawn Addy
Elizabeth M. Iglesias

ROBERT A. MOYERS
EXECUTIVE DIRECTOR

MICHAEL P. MURAWSKI
ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

Re: Ethics Complaint # C04-21 (Waste Management)

Dear Michael:

As we discussed on the telephone, I am revising my recommendation to the Ethics Commission regarding the disposition of complaint C04-21. My new recommendation is that the complaint be dismissed with a Letter of Instruction being issued to your client.

The Letter of Instruction will state, in essence, that as far as the Ethics Commission and the City of Miami Beach are concerned, your client is a "vendor" as that term is defined in Miami Beach ordinance 2-487. I understand that you consider your client to be a "franchisee" and thus not prohibited from making a campaign contribution under 2-487. Because the ordinance, quite frankly, could do a better job making the distinction between "vendor" and "franchisee" in all fairness to your client I am recommending the complaint be dismissed.

Based on my conversations with Assistant City Attorney Jean Olin, your client is a "vendor" and I agree with her reasoning. Thus, in the future, your client should abide by the prohibitions set out in the ordinance unless and until the City amends it.

Finally, keep in mind that this remains a recommendation to the Ethics Commission and is not binding until they ratify it.

If you have any questions please feel free to call me at (305) 579-2594.

Sincerely,


Michael P. Murawski

MPM/rc

10 100

MIAMI-DADE COUNTY COMMISSION ON
ETHICS AND PUBLIC TRUST

IN RE:

CASE NO: C04-21

WASTE MANAGEMENT OF DADE COUNTY
A division of WASTE MANAGEMENT OF FLORIDA

SETTLEMENT ORDER

Pursuant to section 5.13 of the Miami-Dade County Commission on Ethics and Public Trust Rules of Procedure, Petitioner and Respondent do hereby enter into this settlement in full satisfaction of the above captioned matter based upon the following terms and conditions:

1. The Advocate recommends that Count I of Ethics Complaint C04-21 be dismissed in the interest of justice and because it appears that the violation may have been unintentional or inadvertent and that a Letter of Instruction be issued to respondent in full satisfaction of Ethics Complaint number C04-21.
2. Petitioner and Respondent agree that settlement of this action in the manner described above is just and in the best interests of Respondent and the citizens of Miami-Dade County.

Done and Ordered at Miami-Dade County, Florida this _____ day of May 2004.

By: _____
Kerry E. Rosenthal
Chairperson

Michael P. Murawski
Advocate

Waste Management of Dade County
Respondent

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution Setting A Public Hearing For November 10, 2004, To Consider Waiving By 5/7ths Vote, The Disqualification Of Waste Management Of Dade County From Serving As A Vendor With The City Pursuant To Miami Beach City Code Section 2-487 (B) (4), Finding Such Waiver To Be In The Best Economic Interest Of The City, Regarding The Non-Exclusive Franchise Agreement For Residential And Commercial Waste Collection And Disposal In The City Of Miami Beach.

Issue:

Shall the City Commission Set a Public Hearing?

Item Summary/Recommendation:

On August 18, 2004, the Miami-Dade County Commission on Ethics and Public Trust, ordered and adjudged that Waste Management of Dade County, violated Section 2-487 of the Miami Beach City Code, and that pursuant to the settlement agreement entered into by the Ethics Commission and Waste Management, the complaint was dismissed with Waste Management paying to the Ethics Commission a fine of \$500. Attached is the Ethics Commission Complaint No. 04-21, entitled *Public Report and Order Accepting Settlement Agreement*.

The Administration will present to the City Commission meeting of November 10, 2004, a recommendation to waive the termination of Waste Management's existing agreement for residential and commercial waste collection and disposal in the City of Miami Beach.

The Administration recommends that the City Commission set a public hearing to consider waiving by 5/7ths vote, finding such waiver to be in the City's best economic interest, regarding the non-exclusive franchise agreement for residential and commercial waste collection and disposal in the City of Miami Beach.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Amount	Account	Approved
<div style="border: 1px solid black; width: 50px; height: 50px; margin: 0 auto;"></div> Finance Dept.	1	N/A		
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Gus Lopez, Ext. 6641

Sign-Offs:

Department Director	Assistant City Manager	City Manager
GL	PDW _____	JGM

11 7 11

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: October 13, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FURTHER SETTING A PUBLIC HEARING FOR NOVEMBER 10, 2004, TO CONSIDER WAIVING BY 5/7THS VOTE, THE DISQUALIFICATION OF WASTE MANAGEMENT OF DADE COUNTY FROM SERVING AS A VENDOR WITH THE CITY PURSUANT TO MIAMI BEACH CITY CODE SECTION 2-487 (B) (4), FINDING SUCH WAIVER TO BE IN THE BEST ECONOMIC INTEREST OF THE CITY, REGARDING THE NON-EXCLUSIVE FRANCHISE AGREEMENT FOR RESIDENTIAL AND COMMERCIAL WASTE COLLECTION AND DISPOSAL IN THE CITY OF MIAMI BEACH.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution to set the Public Hearing.

ANALYSIS

On January 8, 2003, the Mayor and City Commission passed and adopted Ordinance No. 2003-3389, which amended Miami Beach City Code Chapter 2, Article VII by creating Division 5 thereof entitled "Campaign Finance Reform", and further amended City Code Section 38-6 entitled "Prohibited Campaign Contributions by Vendors". Section 38-6 was also renumbered to Section 2-487.

Section 2-487(A)(3) of the Miami Beach City Code ("City Code") was amended to include the following underscored words:

A person or entity who directly or indirectly makes a contribution to a candidate who is elected to the office of mayor or commissioner shall be disqualified for a period of 12 months following the swearing in of the subject elected official from serving as a vendor with the city.

Additionally, Section 2-487(B)(4) of the City Code was amended to add the following condition for waiver of the prohibition of an individual or entity from serving as a vendor:

A contract for the provision of goods, equipment or services exists which, if terminated by the City, would be adverse to the best economic interests of the City.

SUPPLEMENTAL MATERIAL

FOR

ITEM C7P

Agenda Item C7P
Date 10-13-04

III. About Hay Group and its Insight Practice

Hay Group (www.haygroup.com) is one of the world's largest consulting firms specializing in the management of people, with nearly 2,000 full-time professional and support employees. Founded in Philadelphia in 1943, Hay today operates in 32 countries and 70 cities. Hay consults with more than 9,000 clients throughout the world, including over 50 percent of the firms in the Fortune 1,000. Hay Group is internationally recognized for its work in a wide variety of areas that relate to maximizing the effectiveness of people, including employee and customer surveys, selection and assessment, succession planning, performance management, training and development, organization and job design, work transformation, change management, compensation planning and design, mergers and acquisitions, and employee benefits.

Hay Group helps organizations maximize their return on investment in people, to improve performance and business results. Hay Group has a unique franchise – although there are many firms that dabble in human resources and organizational effectiveness, no other firm has the size, history, research-based methodologies, and worldwide reach of Hay Group. Maximizing the return on your people investment is our mainstream business and our purpose for being.

Our Mission and Main Premise

In support of our mission, Hay Group's main premise is “**People before Strategy.**” We are dedicated to the premise that people, not strategies, drive long-term competitive advantage for organizations. In keeping with this philosophy, Hay Group helps clients:

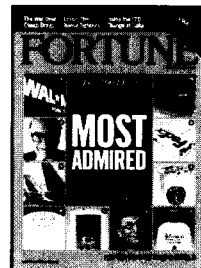
- Create the vision and culture for success
- Identify the leadership needs of the organization and select the “right” leaders
- Redesign business processes to be more efficient and productive
- Implement practices that attract, retain, and motivate employees
- Build effective teams
- Create innovative environments that generate products and services that customers want
- Deliver the service to customers that brings them back again and again
- Design measurement systems to track success in achieving each of the above

About Hay Insight

Hay Insight (www.haygroup.com/hayinsight), Hay Group's survey research division, is a global leader in customer and employee research. Established in 1976, Hay Insight provides research-based diagnostic and consulting services to clients around the world. In addition to customer satisfaction and employee opinion surveys, Hay Insight conducts organizational culture assessments, retention surveys, diversity assessments, and communication audits. We work with our clients' management teams to identify the

management practices that have the biggest impact on key organizational outcomes through an analysis of survey results. Managers are then trained in how to effectively use survey results to improve employee engagement, customer satisfaction, and ultimately, organizational performance.

As evidence of our leadership in survey research, Hay Insight partners with Fortune magazine annually to identify the **World's Most Admired Companies** and **America's Most Admired Companies**. In addition, we conduct follow-up research each year to examine the human resource practices, cultural attributes, and leadership behaviors that make the Most Admired Companies great. We have found through this research that employee and customer opinion measurement is one practice that is characteristic of the Most Admired Companies.



Hay Insight is accustomed to surveys of the size and complexity of the City's citizen/public opinion surveys. Hay Insight conducts surveys for approximately 100 organizations annually, together involving well over 1,000,000 respondents. The majority of the surveys we conduct are for organizations, such as the City, with diverse constituents and customer base.

Hay is uniquely qualified to perform this work for the City of Miami Beach. While some firms are purely diagnostic in nature and others are broader management consulting firms, Hay Group brings the ideal mix of survey and measurement expertise with broader human resources and business expertise.

Our value proposition is as follows:

- Our *people*, who are survey and measurement experts, organizational change experts, process consultants, and executive coaches, will provide the City a range of experience not found in other firms
- Our *approach* to surveys will provide the City with comprehensive information to fully understand the impact of its products and services in order to take action
- Our *tools, databases, and methodologies* will provide the City with a wide range of options for communications, survey design, survey administration, data reporting, working with leadership, helping management deal with the survey data and implementing and evaluating changes

Hay's Unique Qualifications

Hay's unique qualifications for this project include:

- **Extensive experience in organization diagnosis and recommendations.** Hay is a market leader in opinion research. Since 1976, Hay's Insight practice has surveyed more than 3,000 organizations. Our surveys are customized to the requirements of specific client objectives.

For improvement in organizational performance, effective diagnosis is essential, of course, but not sufficient. Constructive change requires more than an accurate description of problems. Unlike firms whose competence and professional scope are exclusively diagnostic, Hay helps clients develop practical and innovative solutions to organizational issues uncovered by a survey. Hay Group will help the City translate the opinions of residents, members of the business community and members of civic organizations into action.

- **Senior level consultants with hands-on experience working with senior-level individuals.** The quality of the interpersonal chemistry between client senior management and key consulting staff is often a critical variable in the amount of constructive action that results from a survey engagement. The project team Hay will assemble for this project provides a combined state-of-the-art survey research capability, multi-disciplinary focus, and broad geographic representation. Biographies of the consulting team members are included in Appendix A.
- **Customer satisfaction survey experience.** Hay has unparalleled experience in designing and administering customer/citizen satisfaction surveys and using the resultant data to improve organizational performance. A significant percentage of our survey business is in the area of customer satisfaction measurement, with project work spanning consumer, citizen, business-to-business, and internal customer relationships. We have conducted customer surveys for hundreds of public and private sector organizations worldwide. Our customer surveys have been used by our clients to enhance customer satisfaction, improve the quality of products and services, develop new products and services, enhance quality of life, support Government Performance and Results Act (GPRA) initiatives, enhance public image, assess organizational performance and strategy achievement, and so forth.

Examples of our customer/citizen survey clients include:

Public Sector	Private Sector
Miami-Dade County (FL)	American Management Systems
City of Middletown (OH)	Affiliated Computer Systems
Falls Church City Public Schools (VA)	Blue Cross Blue Shield
Chesterfield County (VA)	Bristol-Myers Squibb
Muscogee County (GA)	Dupont

Public Sector (cont'd)	Private Sector (cont'd)
Defense Security Service	Fortis Benefits Insurance
Department of Defense	GuideOne Insurance
Department of the Treasury	Merck
Federal Deposit Insurance Corporation	Moody's Investor Service
Internal Revenue Service	Nabisco
International Monetary Fund	Newton Memorial Hospital
National Aeronautics and Space Agency	United Retail Group
National Parks Service	Usinternetworking

- **Capability to administer surveys to diverse, multi-lingual populations.** Hay Group has conducted employee and customer surveys for hundreds of global organizations. Our surveys have been translated into multiple languages, and we have extensive experience successfully administering surveys via several modalities to target diverse employee populations. We use our knowledge of global and diverse employee populations to design culturally sensitive survey questions, and to interpret survey responses from different race and ethnic backgrounds.

Similarly, we have conducted several customer surveys that have targeted diverse populations of customers. For example, for the citizen surveys we implemented for Miami-Dade County, we conducted focus groups and surveys with Hispanics to explore their knowledge of and satisfaction with the County's services. The survey instruments were administered in the three main languages of the County (English, Spanish and Creole).

- **Knowledge of Local Governments.** Hay Group consults with a wide array of local governments. Through this industry-specific experience, our consultants have a good understanding of the organizational culture and customer base of local governments, and the types of issues that employees and customers face. For local governments, including several counties, we have conducted citizen and employee satisfaction surveys, designed compensation programs, developed performance measures, conducted benchmarking studies, and developed competency models and performance management programs. A representative list of our local government clients is presented in Appendix C.
- **Emphasis on Customization.** Given the tremendous variability that exists in organizational strategies and cultures, customer bases, and survey objectives, one-size-fits-all approaches to employee and customer surveys are bound to fail. Accordingly, at Hay Group we tailor all aspects of the survey process -- from survey design, to administration methods, to results reporting and action planning

approaches -- to the particular needs of each client. We work with our clients to design surveys that are tailored to their needs and goals -- no two of our surveys are identical.

- **Technological innovation in survey administration and feedback of survey results.** Hay Group possesses state-of-the-art technical capabilities in demand by high-performing clients who are sophisticated users of research information. In addition to traditional paper-and-pencil survey questionnaires (mail surveys), Hay can administer surveys via the telephone or Internet. Many of our clients use our leading edge electronic reporting of survey results, which are unparalleled by our competition. As a firm, Hay Group has dedicated significant resources to the development of tools that provide our clients standardized approaches to common issues. Our state of the art technical capabilities include innovations in:

- Intranet or Internet survey administration
- Interactive voice response touch-tone telephone data gathering
- Fax or e-mail surveys
- High-speed optical scanning
- Customized, flexible survey report generation software
- Electronic results reporting (see sample enclosed)

Our approach to the City of Miami Beach's survey efforts will likely be a mixed methodology, varying by the constituency being surveyed.

- **Normative Databases for Benchmarking Survey Results.** Hay has a strategic partnership with the National Research Center (NRC), which maintains one of the world's largest databases of citizen satisfaction information. This database contains survey responses from more than 250,000 residents and 6,000 survey questions, including over 300 local governments. This database will give the City the opportunity to compare its survey results to local governments in general, or a customized collection of jurisdictions that are demographically comparable to the City.
- **Results-oriented, flexible approach.** Every aspect of Hay's approach is tailored to meet the specific needs of our clients. Our degree of customer focus and our partnership with clients help ensure a successful outcome with respect to client involvement and management's ability to use the results to foster improvements and change.
- **Post-Survey Support Capabilities.** Hay Group's entire approach to the employee and customer survey process is designed with survey data utilization in mind. We strongly believe that survey data are only means to an end. Unlike firms whose professional scope is exclusively diagnostic, Hay prides itself on helping clients develop practical and innovative solutions to organizational issues uncovered through surveys. We recognize that it is not enough that data are reliable, valid, confidentially gathered, or statistically precise. These aspects of the process are necessary, but not sufficient. A survey initiative is only successful if the results are used for positive action and change. Our survey process provides clients with a clear

understanding of the meaning of survey results, and, most importantly, guidance and assistance in making change a reality. In addition to consulting support Hay can provide around the action planning process, we consider one of our unique strengths the ability to draw on expertise from various Hay Group practice areas (e.g., reward and compensation, performance management, leadership development, change management), when needed, to assist with issues uncovered by the survey.

In sum, some consulting firms dabble in surveys, without any clear focus in the area. Others are so exclusively focused on surveys that they have little experience in other areas to draw on to support organizational improvement efforts. Hay Group offers the ideal mix of survey and measurement expertise and broader HR and business know-how.

Also, for more information and description of Hay's orientation and philosophy with respect to customer surveys, please see Appendix B.

IV. Proposed Methodology/Work Plan

Hay Group has a proven methodology for conducting citizen/public opinion surveys. This customer survey process produces useful results that will help to improve citizen satisfaction with services, as well as their resulting quality of life. Below are the steps that Hay recommends to design and implement such a survey program for the City. These steps may be modified where necessary to meet the City's unique survey needs. Before describing the steps in detail, however, we feel it is important to talk about the governance of the project.

Project Governance

Hay Group views partnering with our clients as key to successful long-term relationships, and ultimately, as key to more successful outcomes for our clients. Our goal is to exceed our clients' expectations, to expand our client referrals/references, and to continue working with clients as they implement changes.

We begin the partnership by assigning senior-level client managers to each of our clients. The client manager is responsible for understanding the client's business issues, for "getting to know" the key people in the client organization, and for ensuring the appropriate technical resources are assigned to the various phases of the project – and ultimately, for client satisfaction throughout the partnership.

All of our consultants have world-class expertise in the improvement of customer satisfaction and organizational performance – an expertise that has been gained through extensive training and certification, and more importantly, through working with world-class clients across industries and geographies. Our consultants are not simply "pollsters" who provide data or results. We understand organizations, their people, and the relationship between strategy, culture, systems, results, reputation and customer attitudes.

The members also bring together experience in working with clients from a multitude of countries, cultures and industries, both private and public sectors. The range of experience of team members will afford the City the level of expertise necessary for a successful project.

For more on the project team and anticipated duties and responsibilities of project members, please see Appendix A.

Steps in the Process

Step 1. Project Planning

Prior to implementing any specific steps in the survey process, Hay will meet with the City survey team members to discuss the project plan and collect information necessary for conducting the citizen/public opinion survey. This initial meeting would likely include a discussion of the following:

- Objectives and desired results of the survey
- Constituents to be included in the study (besides residents and members of the business and civic community)
- Types of questions to include in the survey
- Timelines for survey development, administration, data analysis and reporting
- Survey positioning and communications about the survey plan
- Potential issues related to survey sampling and administration (such as how to reach the diverse City population)
- Plans for data analyses (e.g., types of demographic comparisons)
- Roles/responsibilities of the City survey team members and Hay project team members

This session, and on-going discussions with the project team, will allow us to customize each of the subsequent steps of the survey process to best meet the City's requirements. Based on these discussions, Hay will develop a detailed project plan that outlines roles and responsibilities for each step (by Hay and the City), as well as detailed timelines for completion. This planning will take place during the first week of the project.

Deliverable: Project work plan with agreed upon delivery dates (clear timeline).

Step 2. Pre-Survey Communications

Before distributing the surveys, we feel it is important to inform the public about the impending survey effort. Residents, businesses and civic organizations should be informed that being surveyed by the City of Miami Beach is key to maintaining -- and improving -- the quality of services provided by the City, as well as quality of life. The City Web site, newsletters, cable channel, media, and town meetings are possible mechanisms for informing the public about why the survey is being conducted, the plan and timing for deployment, and how it will affect them. We will work with the City to determine the best methods for communicating information about the survey to its constituents.

Deliverable: Recommendations and implementation of a communications strategy, along with draft communiqués to the various constituents included in the study.

Step 3. Sampling Plan

Hay will work with the City to design a sampling plan that will result in a sufficient number of responses to ensure statistically reliable and valid conclusions at the 95% confidence level (with a $\pm 5\%$ margin of error). The total number of citizens, members of the business community and members of civic organizations to be sampled depends upon the expected response rate, and the number of subgroups (e.g., race/ethnic groups, regions/districts within the City, type of business/organization, etc.) for which reliable and valid conclusions are desired.

For costing purposes, we provide two options for the survey sample, depending on the types of subgroup comparisons in which the City is interested. As mentioned previously, one factor that impacts the size of a sample is the number of demographic cuts of the data that are of interest. The larger the number of demographic cuts, the larger the required sample size (to obtain 95% confidence level with $\pm 5\%$ margin of error). Because it is not clear whether the City is interested in analyzing survey data by different demographic cuts (e.g., compare households with different income levels; compare households from different regions of the City), we present two options for designing the survey sample. Both options will achieve a 95% confidence level with $\pm 5\%$ margin of error. We present cost estimates for each sample size option in the Pricing Proposal on page 36.

Sample size for Citywide results. A smaller sample size is possible if the City is only interested in obtaining survey results for the City as a whole. That is, a sample size of about 1,500 – 2,000 is sufficient if survey results will only be presented for the City overall (i.e., a summary of responses across all constituents who respond to the survey). This estimate is based on an anticipated response rate of 25 – 30%. Thus, to achieve a 95% level of confidence with $\pm 5\%$ margin of error, we would need to receive 400 completed surveys from citizens, as an example.

Sample size for demographic cuts. A larger sample size is required if the City is interested in analyzing survey data by different demographic cuts. For example, we may present survey results for different race/ethnic groups or income levels, or for different businesses/organizations in the City. That is, a sample of anywhere from 5,000 – 7,500 is required if survey results will be presented for different demographic groups. Once again, this estimate is based on an anticipated response rate of 25 – 30%. This sample size will allow us to achieve a 95% confidence level (with $\pm 5\%$ margin of error) for comparisons across different demographic groups (e.g., up to five categories for each demographic cut).

We will work with the City to determine the best database to use for selecting the sample of households for citizens and lists for businesses/civic organizations. In previous citizen/public opinion surveys, we have used personal property tax databases to sample households (i.e., database includes individuals who own large items such as automobiles and mobile homes); supplemented with lists from subscriptions, utility information, auto registration, etc. This type of database includes individuals in multi-family units, apartment dwellers, single-family units, and mobile homes. We typically do

not solely rely on a database of phone numbers (e.g., phone book) for selecting a sample because a large number of households may not have a phone, have unlisted numbers or, in this age of cellular phones, may no longer have landline telephone service. Clearly, more discussion and planning between the City and Hay Group is needed to clarify the City's sampling and segmentation goals.

Deliverable: Sampling plan that will provide a 95% confidence interval with an error rate of $\pm 5\%$.

Step 4. Survey Development

Hay will work with the City to construct custom-designed survey instruments tailored to the specific constituents and needs of the City. However, this survey will be standardized enough to allow for normative comparisons to other local governments that have used similar questions to assess levels of citizen satisfaction.

The recommended steps for designing a draft citizen satisfaction survey are as follows:

- *Review the City's mission, vision, strategic goals and objectives, and customer service standards* in order to include questions in the survey that are consistent with the vision and strategic direction of the City, and to gain an understanding of the City's constituent base.
- *Review documents describing City services and programs* to provide insight into survey questions.
- *Conduct interviews with subject matter experts at the City* to identify the types of issues that should be included in the survey. Subject matter experts may include, but are not limited to: department heads, elected officials, and advisory volunteers. We recommend conducting 8 to 10 interviews. Interview questions will focus on what types of questions/topics stakeholders think should be included in the survey, what they consider to be key elements of constituent satisfaction and quality of life, and how they would like to use the data from the survey. In addition, these interviews will serve to reinforce the survey objectives, methodology, and expected end results to City management and other stakeholders, as well as gain their support for the survey effort.
- *Conduct focus groups with City constituents.* Focus groups with citizens will be used to determine the types of questions, response options, and administration methodology preferences for the survey and process. Hay will design a standardized focus group protocol, facilitate the focus group sessions (in English and Spanish), and summarize focus group information. The focus groups will help identify the City's unique service issues and the dimensions by which the public view services, the City's vision and their overall satisfaction. Each session generally includes 10 to 12 participants from diverse backgrounds. Sessions last approximately two hours and will be facilitated by one group facilitator and one note taker. We recommend compensating focus group participants for their time or providing a light meal or refreshments as a token of appreciation and incentive to participate, if feasible.

We would also expect to conduct focus group sessions with members from a representative sample of businesses and civic organizations, as their needs and view of the City's vision and services will undoubtedly be diverse from the views of citizens. The number of focus groups to conduct will vary depending on the segmentation required (sampling discussed earlier), accuracy of lists, and ease of scheduling participants. Hay will work closely with the City project team to identify businesses and organizations for focus group selection and participation.

Hay also recommends that the City consider performing one or two focus groups with City employees who have high contact with City citizens, businesses and civic organizations. Meeting with City employees can provide deeper insight into the perceived strengths and obstacles they face in dealing with the City's various constituency groups and further guide the development of the survey instruments.

- *Review relevant customer/citizen satisfaction and marketing literature* (e.g., dimensions of public satisfaction; questions from other surveys, etc.) as input into the design of the survey.
- *Review the National Research Center's Customer Survey Database* so that the City can compare its results to a nationwide local government normative database. That is, we will include questions from the database to allow for benchmarking comparisons.
- *Draft survey questionnaires.* Based on the information collected from interviews, the City and its staff, normative benchmarks and our own experience, Hay will design a survey instruments for each of the three constituent groups (residents, businesses and civic organizations). We expect each questionnaire to be similar enough to one another that comparisons across constituency groups is available, but also to contain unique questions that address the specific issues and concerns of each group.

Each questionnaire version will include a survey welcome page/cover letter, instructions on how to complete and return the questionnaire to Hay, the actual survey questions, and response options.

- *Translation.* Hay has the ability to translate the survey into over 40 languages, and to translate into Spanish presents no problem for us. Our translation procedure is a double translation process. We first translate the survey into Spanish and then ask our clients to verify the translation for accuracy and completeness. Our experience has shown that this verification steps is a critical part in the survey development process.

Our expectation is that each questionnaire version will be translated into Spanish for a total of 6 survey versions (English and Spanish versions of the citizen, business and civic organization questionnaires).

- *Conduct pre-test.* Hay will pre-test the survey using a diverse sample of the City's citizens. We recommend conducting several pre-test sessions, with 12 to 15 participants per session. Pre-test participants will be asked to complete the survey and provide suggestions about the clarity of the survey's instructions, questions, and response options. Additionally, participants will provide input about whether the

survey questions are relevant to the City's constituents, and whether there are important issues that are not included in the survey. The City will receive a summary of the pre-test results and Hay will revise the draft survey based on feedback from the survey reviews and pre-test.

- *Obtain approval of survey.* Hay will provide a copy of the draft survey at two points in time: 1) prior to conducting the pre-test; and 2) after pre-test changes are made. Hay will revise the survey based on feedback from these reviews, and submit it to the City for final approval.

We anticipate that the final version of the survey instruments will contain 30 to 45 multiple-choice questions. The number of questions may vary, however, depending on what is learned during the survey development process. The majority of questions will ask citizens to indicate their level of satisfaction with various City services, departments, and aspects of quality of life. The survey will likely include a set of background questions (e.g., race/ethnic background, income level, type of businesses) to allow for comparisons between the responses of different subgroups, and to ensure that survey respondents are representative of City citizens, businesses and civic organizations. The City also has the option of including one or two open-ended (write-in) questions into the survey. This would allow respondents the opportunity to provide suggestions/ comments about any issues not specifically asked in the survey, or to expand upon survey questions or issues.

The following are examples of the types of questions that may be included in the City's citizen/public opinion survey questionnaires:

- Overall rating of the City of Miami Beach as a place to live, work, do business and play
- Understanding and alignment with the City's vision and strategic plan
- Ratings of the City's services (e.g., public health, zoning, development, provisions of safety, etc.)
- Ratings of City employees who provide such services (e.g., knowledge of City services, courtesy, professionalism)
- Satisfaction with City leadership
- Ratings of City government (e.g., hours of operation, convenient ways to use City services)
- Overall rating of "quality of life" in the City
- Ratings of different aspects of quality of life (e.g., transportation, job and business opportunities, cost of living, tourism, shopping and entertainment opportunities)
- Doing business with the City

Deliverables

- Focus groups/interviews with City constituents and employees
- Summary of pre-test results.
- Final survey instruments for each constituency group (in English and Spanish).

Step 5. Survey Administration

Hay's survey administration capability includes all possible methods for deploying questionnaires to constituents, including paper-and-pencil, outbound and inbound telephone, fax back, e-mail, and Internet. Below is a summary of the methodologies used in administering surveys followed by more detail of the major methodologies used in citizen/public opinion surveys and our recommendations for this project:

HayGroup Administration Methodologies		
Method	Pros	Cons
In-person	Highest response rate Best for hourly employee Captive audience	Organizationally intrusive Labor intensive
Mail	Low cost per respondent Good for large populat.	Respondent initiated Often lower response rate
Fax back	Good for customer Save on return postage No keypunching	Respondent initiated Confidentiality concern
Out-bound Telephone	Good for large populat Fast data collection Good for quota sampling	High cost/complete Interviewer bias Shorter surveys
In-bound calling (HayPoll)	Good for large population Fast data collection Lower cost/complete	Respondent initiated Shorter surveys Impersonal
PC-based methods (Internet, Intranet, Kiosks)	Employee convenience Fast data collection No keypunching	Technological barriers Not for all customer pop. Access/Literacy Can be high or low cost

Paper-and pencil-administration

This approach involves providing survey participants with printed hardcopies of the questionnaires. There are various options for participants to return their completed questionnaires to Hay Group for processing. The most popular paper methodology is via U.S. mail (in addition to the survey, we provide each participant with a business-reply, postage paid envelope (addressed to Hay Group). Mail provides for good participation rates and perceived neutrality/confidentiality of responses. Other options for administration by paper include setting up locations throughout the City where citizens, business members and/or civic members can come and complete the survey (this works especially well for those who need assistance due to literacy issues) or returning via fax.

Telephone administration

Perhaps the most popular (but costly) of the methodologies to reach citizens/the public, telephone surveys remain an important approach to consider for obtaining constituent feedback. There are generally two methods: outbound (initiated by the City) and inbound (initiated by the respondent). The *outbound* telephone process involves live interviewers calling citizens (at their homes) and businesses and organizations to complete the survey questions (generally about 10 – 15 minutes for each call). Interviewers must be trained on phone demeanor and how to record responses. Outbound methods often lead to the best response (especially when conducting during the evening/weekends for citizens and during the day/afternoon for businesses/organizations). Hay has prepared protocols for interviewers making outbound phone calls.

The *inbound* telephone process involves mailing a survey cover letter to all constituents. The letter would have a short invitation to participate in the survey in the languages of interest (e.g., a paragraph in English and Spanish explaining the purpose of the survey and how to complete the survey via telephone). The instructions would tell citizens to call a toll-free number (we can provide a different toll-free number for each language) to complete the survey on the telephone in their native language. Respondents would also be provided with a unique ID number to control the sample and ensure that only one response is provided per household.

Upon calling the toll-free number, respondents are greeted by the computerized system and asked to enter an ID number, which signals the system to begin the survey. Respondents are then read the survey questions and asked to respond by pressing the button on the telephone that corresponds to their chosen response. At an additional cost, the system can also be programmed to accept voice commands for additional convenience. Respondents who do not have a touch-tone phone will be transferred to a live operator who will administer the survey. A toll-free telephone number can also be established for respondents to call with questions about the system or for technical support.

Internet methodology

Hay also offers a web-survey application that provides respondents with a user-friendly and confidential way to quickly and easily register responses to both fixed choice and open-ended essay questions. Our Web-based survey capability runs the gamut from customized E-mail invitations and reminders with individual password control to citizens/the public, to real-time online reports for response rate tracking and summarized results on specific survey items. Hay provides hosting for this survey capability and our consulting staff personally oversees the production, configuration and set-up of the questionnaire on the web site. All versions of the survey (English and Spanish) can be easily set-up on the website. The data on the website is encrypted in a way that makes it unusable to an outside party. At no time in the process will Hay violate an individual's confidentiality for any reason.

Recommended Administration Approach

A mixed approach of telephone and mail should be explored (especially for citizens) as this provides the best possibility to obtain good participation and allow for controlling the sample (quotas). Internet methodology mail also be a particularly attractive solution for businesses and civic organizations who would theoretically have greater computer literacy and access at their workplace locations.

Maximizing response rates

Hay will work with the City to ensure that response rates are maximized. A high response rate will ensure that the data are valid and representative of citizens/the public. Potential strategies for increasing response rates include:

- Providing up-front publicity about the survey (maximizing pre-survey communications – see step 2 earlier in this proposal)
- Minimizing the length of the survey
- Describing the benefits of the survey for citizens and the City
- Providing flexibility in the manner and time in which citizens choose to respond
- Sending a postcard to citizens after the initial mail-out reminding them to complete the survey
- Providing regular response updates to City staff for follow-up

Customer Incentives

Incentives are frequently used to increase participation of customers in surveys such as this. The type of incentive used varies depending upon the constituency. It is generally not a large amount, but must be valued by the respondents. We often use the focus group phase to test the efficacy of different incentive possibilities.

Deliverable

- Strategy for engaging the City's diverse population in the survey process and implementation of agreed upon modalities to be used in the data collection process.

Step 6. Data Processing, Survey Analysis and Reporting

Hay will process all survey data, analyze the results, and provide recommendations to improve citizen/public satisfaction.

Data processing. Upon receipt of the completed surveys, Hay handles all data entry, programming, and processing of data. We use a number of methods to ensure the integrity and accuracy of the data and reports (e.g., running various checks for duplicate data records and invalid responses, verifying data through two separate processing tools, etc.). Responses will also be weighted/adjusted to reflect the actual distribution of City constituents. The City will receive the “raw data” in an MS Excel document or in a format the City desires.

HayGroup

Survey analysis. Hay will generate user-friendly feedback reports of the survey results. We will solicit the City's input into the types of data analyses that will provide the most useful information. Data analyses may consist of the following:

- *Analysis of the characteristics* of citizens, businesses and civic organizations who responded to the survey
- *Frequency distributions* for each survey question -- the percentage of respondents who selected each response option. For example, results will show the percentage of responses who reported their satisfaction level as: 1) "very satisfied" or "satisfied;" 2) "neither satisfied nor dissatisfied;" and 3) "very dissatisfied" or "dissatisfied"
- *Mean, median, mode and standard deviation* for each question
- *Trend* – Comparisons of survey results to previous City surveys, if applicable
- *Normative comparisons of the City's data* to other jurisdictions/organizations for benchmarking purposes
- *Comparison of results among different subgroups (cross-tabulations for demographic groups)*. If desirable (and a large enough sample of participants is surveyed), Hay will also perform cross-tabulations to compare survey responses among different groups of constituents. We will solicit input from the City into the types of comparisons that will provide the most useful data. Examples of possible comparisons include:
 - Region or district within the City
 - Home owners versus renters
 - Race/ethnic background
 - Household income
 - Length of time living in the City
 - Type of businesses and civic organization
 - Amount of contact with the City

The larger the sample size selected, the higher the likelihood of providing these data.

Summary of Analytical Tools Used

Type of Analysis

Factor Analysis

Correlation Analysis

Multiple Regression Analysis

Segmentation Modeling

Structured Equation Modeling
(LISREL)

To Discover:

Questionnaire structure

Singular relationships among measurements

Weighted/partialled relationships among variables

Interaction (whether relationships between variables differ depending on a condition of a third variable)

Shared weighted relationships across all domain measurements

Electronic reports. Hay can provide survey feedback reports in a paper format, a .pdf format, or an electronic, Microsoft-Excel-based format (see Appendix D for sample report pages and the attached CD for a sample report in its entirety). Many of our clients use our electronic reports because they like the interactive nature of these reports and the ability to go “paperless.” The City can receive results electronically in the form of a Microsoft Excel worksheet, delivered via e-mail, diskette, or CD. These electronic reports allow City management the ability to view high-level summaries, drill down in selected areas for more detail, and sort results in various ways (by most favorable responses, greatest differences from norms, etc.) to isolate key themes and trends. These reports also allow managers to “cut and paste” from the results report to create their own presentations, action plans, etc.

Responses to open-ended questions. Hay will perform a high-level content analysis of responses to any open-ended questions included in the questionnaires. These analyses identify the major themes from the verbatim comments.

Deliverables

- Recommended data analysis methodology and implementation of methodology.
- User-friendly feedback reports.
- Electronic copy of the final data file in MS Excel format.

Step 7. Presentation of Results to Management

Hay will prepare an executive briefing/presentation on the key survey findings, to be delivered to City management and staff. The executive briefing will include:

- Description of survey methodology
- Response rates and demographics of survey respondents
- Summary of survey results
- Key strengths and opportunities for improvement for the City overall
- Important differences in survey findings by key demographic groups
- Comparison of survey results to normative benchmarks
- Themes identified through the analysis of responses to the open-ended question
- Overall conclusions about the extent to which citizens, businesses and civic organizations understand the City's vision, strategy, as well as, satisfaction with City services and quality of life
- Next steps for action planning, communications and survey feedback

Following our presentation of the key survey findings, Hay can facilitate a group discussion for the purpose of issue prioritization and future action planning to address citizens' most critical issues. It should be noted that Hay will isolate a *limited* number of issues for action, since it is our strong belief that truly focusing on a few key opportunities for improvement will yield more tangible results than a shallow response to a “laundry list” of problems. In addition, focusing on a few key issues will increase the likelihood of success of the survey effort.

Deliverable: Electronic copies of PowerPoint Presentation and in-person delivery to City Management and Staff.

Step 8. Report Training

Dumping data on recipients, without explanation, rarely leads to effective action. Hay would prepare a training module whereby we can train management or City staff (i.e., train-the-trainer) on how to interpret data, how to make a presentation to staff, how to conduct an effective staff feedback session and how to develop meaningful action plans. This training effectively prepares managers to work with survey results and prioritize issues so that they do not get 'lost in the numbers'. Hay tailors each of our training modules and toolkits to the specific needs of our clients.

Deliverable: Training toolkits and sessions with City staff.

Step 9. Post-Survey Communications

We strongly urge the sharing of the overall company results with the public and City employees. We will work with the City to help prepare the appropriate content and delivery mechanism for these communiqués. Communications can take many forms (e.g., memo, newsletter, meetings, video, on-line, etc.) and should be tailored to specific audiences. Hay can assist the City in the development of these formal communications as well as provide useful sample materials.

Deliverable: Draft post-survey communiqués, advice on content and strategy for distribution.

Additional Consulting Services

If the City is interested, Hay has the capability to perform additional consulting services such as the following:

Conduct further in-depth surveys/assessments and interpretations. If the City is interested in gaining further insight into citizen/public opinion survey findings, Hay can conduct follow-up focus groups to gain a better understanding of the survey findings, gather information on potential root causes of the survey findings, and generate recommendations for improvement. Hay would identify the issues that should be discussed in the focus groups (based on survey results), design the focus group protocol, facilitate the focus groups, and summarize focus group data (including tying focus group data to survey results).

Conduct specialized data analyses. The City may be interested in examining survey data by numerous demographic cuts, or some key stakeholders may want to view the survey data for their own region/district. Hay can provide customized supplemental data reports summarizing these types of analyses. Additionally, Hay can perform regression analyses to identify the key drivers of citizen satisfaction with City products/services, or perceptions of quality of life. For example, a regression analysis can identify which aspects of City living (e.g., safety, cultural and social opportunities) have the biggest impact on perceptions of the City as a place to live.

Facilitate action planning sessions with key stakeholders. Hay can facilitate a series of sessions with City officials to prioritize key issues identified by the survey and to develop action plans for improving citizen satisfaction, service quality, and quality of life.

V. Summary of Deliverables

As we see them, the specific deliverables for the City of Miami Beach's citizen/public opinion survey process are:

- A sustainable survey process that is not only technically sound, but also substantially contributes to the achievement of continuous improvement
- A measurement process that provides the City with the ability to:
 - Assess customer satisfaction over time on a regular basis
 - Assess itself in relation to other comparable counties
 - Determine what actions are required to implement its vision and strategic plan
- A project work program and timeline
- Focus group sessions/interviews with citizens, members of businesses and civic organizations, and City employees
- Customer survey instruments for citizens, businesses and civic organizations in two languages (English and Spanish)
- A sample plan and methodology for determining appropriate population, size, and selection
- Pre-survey communications strategy and draft communiqués
- Data collection methodology; advice on the most appropriate survey delivery mechanisms and the execution of the selected method(s)
- A pre-test of the developed survey instruments and written report of the findings including recommending and implanting changes to the questionnaires and process
- An analysis of the survey results to provide the City with a clear understanding of what is important to the citizens/public (views of services and the drivers of overall satisfaction) and the City's perceived ability to deliver on those things that are important
- A presentation of the results of this analysis in an interactive session with City management – this discussion is designed to engage management in a meaningful dialogue about the implications of the data for action
- Final results reports on the survey data
- Guidance and training for City staff on the utilization of the results
- A plan to feedback the results to City employees and constituents, including a communication plan and methods of delivery
- Raw data file in MS Excel format (or whichever format the City desires)

VI. Anticipated Project Timeline

Timeline is subject to change based on the City's needs and the pace of step completion.

Phases/Steps	Week of October				Week of November				Week of December				Week of January					
	4	11	18	25	1	8	15	22	29	6	13	20	27	3	10	17	24	31
Project Planning Meetings (review schedule/deliverables, interview City staff)																		
Sample Plan Discussion/Decisions																		
Focus Groups with Public & Employees																		
Survey Design/ Translation																		
Pre-Test Survey to Sample of Public																		
Survey Administration																		
Data Processing/Analysis																		
City Reports and Presentation																		
Unit Reports and Training																		
Post-Survey Communications																		

VIII. Pricing Proposal

<u>Step</u>	<u>Consulting Fees</u>	<u>Assumptions/Comments</u>
Planning meetings**	\$5,000	Consecutive 2 day trip sessions to agree on objectives/timeline/deliverables; includes management throughout the project
Pre-survey communications	No charge	Hay drafts communications for each constituent group/City employees; City provides final approval
Sampling plan methodology and list development	\$3,500 (Sampling by overall City constituent only) \$7,500 (Sampling by segments/demographic – up to 4 demographics)	Hay to recommend approach and methodology after in-depth review of City population and business/civic organization data; Hay to obtain lists from City and other sources
Conduct focus groups**	\$10,500	<ul style="list-style-type: none"> → Citizen (5 – 7 groups, majority in English, one - two in Spanish) → Businesses and Civic Organizations (3 – 5 groups each constituent) → City management and employees
Survey development	\$8,000	3 versions (similar but unique); 30-45 questions each with one or two open-ended questions
Administration management	\$5,500	Oversee deployment of survey via agreed-upon methodologies
Data processing and reporting	\$20,000	Data capture, quality control, weighting, processing and report production (3 versions of the report = one for each survey version; up to 10 reports for districts/regions within the City)
Analysis/presentation of findings to City management**	\$9,500	One in-person presentation to City Commission
Training on survey utilization**	\$5,000	One train-the-trainer session
Total Consulting Fees	\$67,000 - 71,000*	
* Excludes expenses – estimated below		

Estimate of Expenses

- Focus group meeting room/incentives (if needed and held outside City offices): TDD – billed as incurred at cost
- Translation of questionnaire to Spanish: \$1,250 (if done by Hay); \$500 (if done by the City and verified by Hay)
- Printing of questionnaires, return envelopes and postage/shipping: \$5,000 - \$7,500
- (If used) Internet set-up and hosting: \$3,500 - \$5,000
- (If used) Telephone methodology: \$10,000 - \$15,000 (heavily depends on specifications of sample)
- Travel: Billed as incurred at cost – anticipate 3-4 trips: planning meetings, focus groups, in-person presentation/training

**Strongly recommend that to save on travel costs, meetings/focus groups/presentations/training should be scheduled consecutively or on the same trip)

Hay will coordinate the citizen/public opinion survey projects for the City of Miami Beach from our NY Metro and DC Metro offices in order to offer the City both an exceptionally qualified project team and the best customer service possible. The table below lists key project team members, their roles, and their office locations. A summary of the experience and expertise of our proposed team is presented in the following pages.

Consultant Name	Role	Hay Office
Rosario Porpora, M.A.	Co-Project Director <ul style="list-style-type: none"> ▪ Ultimate accountability for the success of the project ▪ Main point of contact for the County throughout the project ▪ Responsible for understanding the needs of the County ▪ Ensure appropriate resources are assigned to the various phases of the project ▪ Lead Hay's project team ▪ Involved in all phases of the project (e.g., management interviews, survey design, sampling plan, presentations) 	NY Metro
Michele Goldberg, M.B.A.	Co-Project Director <ul style="list-style-type: none"> ▪ Ultimate accountability for the success of the project ▪ Main point of contact for the County throughout the project ▪ Responsible for understanding the needs of the County ▪ Ensure appropriate resources are assigned to the various phases of the project ▪ Lead Hay's project team ▪ Involved in all phases of the project (e.g., management interviews, survey design, sampling plan, presentations) 	NY Metro
Stacey Namm, Ph. D.	Project Manager <ul style="list-style-type: none"> ▪ Manage day-to-day project activities for the citizen survey 	NY Metro
Jodi Simco, Ph.D.	Subject Matter Expert/Project Liaison <ul style="list-style-type: none"> ▪ Support and input throughout the project with respect to best practices in survey design, implementation and analysis ▪ Expertise regarding government survey efforts and related experience 	DC Metro
Dawn Sherman, M.A.	Subject Matter Expert/Project Liaison <ul style="list-style-type: none"> ▪ Support and input throughout the project with respect to best practices in survey design, implementation and analysis ▪ Expertise regarding customer survey efforts and related experience 	NY Metro

The Project Directors will be available throughout the process (in-person or by telephone) to answer any questions raised by the City, and to ensure that we are continually meeting your needs and expectations for this survey effort. We will send monthly progress reports (via e-mail) summarizing the work completed to date, the work to be completed over the next month, and any issues affecting the timeline (and will inform you immediately if there are changes to the project timeline). The Project Directors will also ensure that the appropriate resources are available throughout the process, monitor progress in completing milestones and deliverables, and review all deliverables to ensure that the highest standards of quality are met. If it becomes necessary to reallocate resources internally to ensure that the highest quality milestones and deliverable are delivered on time, the Project Directors have the authority to do so.

Additionally, we have other measures in place to ensure a quality survey effort from start to finish, including:

- Understanding our clients' needs, objectives and schedule (and continually dialoging during the project to monitor changes)
- Having a thoroughly trained project team of consultants, analysts and project managers who know all the steps in the process and who ensure that pieces do not "fall through the cracks"
- Having a team that has a deep understanding of the environment of local government organizations and the challenges they face
- Having well-defined repeatable process steps
- Having process quality checks to ensure that data are accurate as they pass from one step to another

We are pleased to present an outstanding team of individuals to partner with the City of Miami Beach on this exciting initiative. Hay's proposed project team has expertise in all the key areas that are critical to the success of the City's survey program. The team has extensive experience in the measurement and improvement of customer satisfaction, as well as experience with local governments. Hay consultants have gained their experience through extensive education, training, and certification, and more importantly, through working with world-class clients across a variety of industries. We are not simply "pollsters" who provide data or results. We understand organizations; their human resource systems; and the relationship between strategy, culture, and results. Additionally, our team members frequently publish in the professional literature and are sought as experts on topics related to surveys, organizational culture, and satisfaction and loyalty.

Summary of Experience and Expertise of the Hay Project Team

The following matrix summarizes the relevant experience and expertise of the proposed Hay project team. As the table shows, all team members have years of experience with projects of similar scope as the City's citizen/public opinion survey project, and all team members have experience conducting surveys in local government settings. Additionally, our proposed team has a strong background in statistics, psychometrics, and sampling design. For example, several project team members have Ph.D.s in Industrial/Organizational Psychology and over 10 years experience with statistical software (e.g., SAS, SPSS), a thorough knowledge of descriptive and inferential statistics, and expertise in sampling design for survey research.

Name of Hay Team Member	# Years Customer/Citizen Satisfaction Survey Experience	Local Government Experience	Sampling Plan Design	Survey Design	Survey Administration	Statistical Analyses (Descriptive and Inferential)	Presentation to Senior Management	Action Planning and Change Management
Rosario Porpora	8	X	X	X	X	X	X	X
Michele Goldberg	10	X	X	X	X	X	X	X
Stacey Namm	5	X	X	X	X	X		
Jodi Simco	10	X	X	X	X	X	X	X
Dawn Sherman	15	X	X	X	X	X	X	X

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
<http://ci.miami-beach.fl.us>



To: Neighborhood/Community Affairs Committee Members **Date:** September 22, 2004

From: Jorge M. Gonzalez
City Manager

Subject: Discussion Related To The Formation Of A North Shore Park & Youth Center
Advisory Board

As the members of the Commission are aware, the Commission has requested the Administration to undertake a review of the current City advisory boards. The review is to determine if the structure, the number of boards and the responsibilities/duties of each was appropriate.

At the July 28, 2004 Commission meeting a discussion was held concerning the possible formation of an advisory board for the North Shore Park and Youth Center. An alternative option of consolidating the four advisory boards and one ad hoc committee currently functioning within the Parks and Recreation Department into a single Advisory Board was also discussed. At the conclusion of the discussion the matter was referred to the Neighborhood/Community Affairs Committee for review with the request that the Administration present its recommendation(s) at the meeting.

The review and discussion of the various boards involved in park activities is consistent with the broader Commission request to review all boards and will represent the first in a series of discussions on the subject.

At the present time the Parks and Recreation Department has the following advisory boards and committees:

- Beautification Committee (8 Members)
- Golf Advisory Committee (12 Members)
- Parks and Recreational Facilities Board (10 Members)
- Youth Center Advisory Board (Scott Rakow) (10 Members)
- North Beach Youth Center Ad Hoc Oversight Committee (7 Members)

Attached for your review is information for each of the above referenced Board/ Committees as it is documented in the City Code related to its establishment; purpose; powers and duties; composition. Also attached is Commission Resolution No. 2000-23835 establishing the North Beach Youth Center Oversight Ad Hoc Committee.

All boards/committees meet at a regularly scheduled time and day once per month, with the exception of the North Beach Youth Center Oversight Ad Hoc Committee which schedules meetings on an as needed basis. All boards/committees are staffed with at least one member of the Parks and Recreation Administration (in many instances 2 or more staff depending on the issue). Additionally, City staff from other departments including but not limited to Capital Improvements, Neighborhood Services or Police also attend these meetings depending upon the issue(s) being discussed. **Agenda Item** 85L

While important to the function of the City, the various advisory boards require a significant amount of staff time to support. Staff support for boards is typically a duty that is added to regular services or duties that are to be performed. No staff is available solely to support and to work with advisory boards. In the specific case of the Park and Recreation Department, staff support is provided for 5 boards/ committees comprised of 47 resident appointments in total.

Each of the parks boards/committees is tasked with a specific purpose such as parks and recreation in general, beautification, golf or a youth center. Each board member clearly has a vested interest in their particular board's established purpose and is committed to contributing to its success. This finely focused interest does serve the specific board or committee but may fail to see the "big picture" needs resulting in conflicting requests for limited resources, capital improvements, enhanced staffing etc.

One of the recommendations of a group of outside park professionals and members of the Parks Blue Ribbon Committee who were asked to discuss implementation strategies for the Blue Ribbon Report on Parks was to streamline the number of boards associated with parks. Consistency of policy and consumption of staff resources were principle concerns that the group thought should be addressed with a lesser number of boards.

Under the current specialized approach to Board creation, there is a very real potential for the proliferation of boards/committees as the other major parks are completed (i.e. Flamingo Park, South Pointe Park, North Shore Open Space Park or Normandy Park). Consistent with the review of all advisory boards, it is timely to discuss and understand the need for a comprehensive view of the community's parks and recreation interests and the better use of City resources.

Several models are suggested for discussion:

Establishment of a master Parks and Recreation Board

The single board model is the best able to provide for a consistent and big picture view of the park and recreation interests, while being less demanding upon staff resources. The single board model adds significance to the board and its input rather than diluting it among many bodies.

This model would consolidate all the current boards' functions into a single Parks and Recreation Board comprised of as many members as desired by the City Commission. The number may be larger than normal in order to recognize the consolidation of boards. In this model the Commission might also wish to adopt a phase in plan that would allow membership to drop off over time as current board appointments expire. If this model is to be pursued, it is suggested that some outreach to the existing boards be done and a specific phase in plan be developed for the Commission to review.

The ability to consolidate information, ideas and input from the various boards/committees into a single organizational structure would enable the comprehensive and consistent discussion of the parks and recreation related interests, concerns and issues of our residents. The ability to gain immediate and comprehensive input and points of view from this diverse group of Commission appointed community members will enhance areas including but not limited to the quality/quantity of programs and services, insight to financial issues such as budget and fees, facility development as well as short and long range planning.

In order to maintain a high level of input and interest from the community it is suggested that the single advisory board model be supported by the following:

1. Establish informal user groups at each major facility to meet on an as needed basis to provide feedback, comments and guidance as to the services and programs being offered at the particular park. The meetings would be staffed by the Park Facility Manager or their staff responsible for a specific activity such as ice skating, basketball, senior programming etc., with the information obtained from such meetings being reported back to the board. These meetings would be less formal than full advisory board meetings.
2. Continue its use of focus groups on selected programs and topics, various evaluation tools and the interviewing of patrons to augment the information provided to the Parks and Recreation Advisory Committee.

Establish a Major Parks & Facilities Advisory Committee

The Major Parks & Facilities Advisory Committee model would focus on the needs of the principle parks facilities including the Rakow Youth Center, the North Shore Park & Youth Center as well as Flamingo Park, Normandy Park, South Pointe, Lummus and North Shore Open Space Park. The Recreational Facilities and Parks Advisory Board would be responsible for the balance of City parks. This model is aligned with the Parks and Recreation Department's 2003 reorganization as discussed in the Parks and Recreation Programs Blue Ribbon Citizens Committee report. Membership could consist of appointments from each of the major facilities listed above.

All information gathered at the Major Parks & Facilities Advisory Committee would be forwarded to the Recreational Facilities and Parks Advisory Board for their review and action.

While this model would address facilities and programs well, the more passive or open space areas might also be considered for a Board.

North Shore Park & Youth Center Advisory Committee

This model would add a full Board, similar to the Scott Rakow Youth Center Board to address issues at the new North Shore Park and Youth Center. This model makes use of facility users to provide input. The Scott Rakow Youth Center Advisory Committee section of Code is attached as a blueprint for his model.

At the July 10, 2004 meeting of the North Beach Youth Center Oversight Committee the members held a discussion concerning the need for and the structure of a board to serve in an advisory capacity when the Youth Center is completed, the Certificate of Occupancy is obtained and as stipulated in the resolution creating the North Beach Youth Center Oversight Committee, it is dissolved.

The opinion of the majority of members present leaned towards a model similar to that of the Rakow Youth Center Advisory Board. It was stated that it made sense to bring in new people who were representative of the community and that the committee should be a balance of families, youth and professionals/business in the area.

The discussion concluded with the unanimous approval of the following motion:
The Committee Members wishes to continue serving during the process of the Neighborhood/Community Affairs Committee setting up an oversight committee and having it expedited.



JMGIRCMKSsam

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BEAUTIFICATION COMMITTEE**Sec. 2-36. Established; purpose; powers and duties; composition.**

(a) *Established.* There is hereby established the beautification committee, whose purposes, power and duties, composition, membership qualification and general governing regulations are as set forth in this section.

(b) *Purpose.* The beautification committee aids the commission in its desire to maintain the beauty of the city.

(c) *Powers and duties.* The city beautification committee is vested with the power and authority to review all landscape projects and make recommendations to the city commission upon the following matters:

(1) The investigation, development and carrying out of plans for the beautification of the city, including, but not limited to, public landscaping and signage.

(2) The encouragement of placing, planting and preservation of trees, flowers, plants, shrubbery and other ornamental plants in the city.

(3) The encouragement of a desire in the citizenry of the city to maintain and improve the beauty of the city.

(4) The recommendation of plans to the city as well as to other governmental agencies for the beautification of the city.

(5) The recommendation of new ordinances and efforts duly made to discontinue violations of any existing ordinance or statute concerning the beautification of the city.

(6) The identification of areas suitable for beautification in the city.

(d) *Composition.* The committee shall consist of eight members, seven of whom shall be direct appointees by the mayor and city commissioners. The chairperson of the mayor's ad hoc garden center and conservatory advisory committee, or designee, who shall serve as a nonvoting, ex officio member.

(e) *Chairperson.* The chairperson of the committee or his designee shall serve as a nonvoting, ex officio member of the recreational centers and parks facilities board, to be renamed the "parks and recreational facilities board."

(f) *Knowledge and experience.* See subsection (d) of this section.

(g) *Supporting department.* The supporting department of the committee is recreation, culture and parks.

(Ord. No. 97-3086, § 2.2, 7-2-97; Ord. No. 2000-3245, § 1, 5-24-00)

Secs. 2-37--2-40. Reserved.

GOLF ADVISORY COMMITTEE**Sec. 2-76. Established; purpose; powers and duties; composition.**

- (a) *Established.* There is hereby established the golf advisory committee, whose purposes, power and duties, composition, membership qualification and general governing regulations are as set forth in this section.
- (b) *Purpose.* The mission of the golf advisory committee shall be to oversee the functionality of the three city golf courses, review observations and make recommendations, as appropriate, to the administration.
- (c) *Powers and duties.* The powers and duties of the committee shall be to:
- (1) Make studies and reports to the city commission and the city manager on all matters pertaining and relating to the use and operation of the city's golf courses and recommendations for the improvement thereof.
 - (2) Make such recommendations on all matters concerning the use and operation of such municipal golf courses as it may seem desirable and appropriate, and to transmit the same to the city manager and the city commission for such action as the city manager and the city commission may deem appropriate.
 - (3) Consider and act upon any and all matters referred to it by the city manager or the city commission pertaining to the use and operation of the municipal golf courses, and to submit its findings and recommendations on such matters to the city manager or to the city commission as shall be appropriate.
- (d) *Composition.* The committee shall be composed of 12 members, 11 of whom shall be voting members:
- (1) Seven voting members appointed by direct appointment by the mayor and city commissioners.
 - (2) Four voting members, who shall be the presidents of the Bayshore and Normandy Shores Men's and Women's Golf Associations, respectively, and who shall serve on the committee during their tenure of office as such presidents.

The city manager or his designee shall serve as a nonvoting, ex officio member. The chairperson of the golf advisory committee or his designee shall serve as a nonvoting, ex officio member of the recreational centers and parks facilities board, to be renamed the parks and recreational facilities board.

(e) *Knowledge and experience.* See subsection (d) of this section.

(f) *Supporting department.* The supporting department of the committee is recreation, culture and parks.

(Ord. No. 97-3086, § 2.9, 7-2-97; Ord. No. 2000-3245, § 1, 5-24-00)

Secs. 2-77--2-80. Reserved.

PARKSBOARD**DIVISION 13. PARKS AND RECREATIONAL FACILITIES BOARD****Sec. 2-171. Established; purpose; composition.**

(a) *Established.* There is hereby established the parks and recreational facilities board, whose purposes, power and duties, composition, membership qualification and general governing regulations are as set forth in this section.

(b) *Purpose.* The board shall serve in an advisory capacity to the city commission, city manager and the director of recreation, culture and parks on matters related to the successful implementation of a comprehensive community-based parks and recreation service delivery system. Such issues may include, but are not limited to, creative program development, a community involvement process, overall parks and recreation facility development and service as an oversight committee to evaluate goals of the recreation, culture and parks department. The board shall interact with other boards, governmental agencies and civic groups on an as-needed basis to foster the success of the department's objectives.

(c) *Powers and duties.* See subsection (b) of this section.

(d) *Composition.* The parks and recreational facilities board shall be comprised of ten members:

(1) Seven direct appointments, one made by the mayor and each commissioner.

(2) The chairpersons of the following boards/committees or their designees shall serve as nonvoting, ex officio members of the parks and recreational facilities board:

- a. The beautification committee.
- b. The golf advisory committee.
- c. The youth center advisory board.

(e) *Knowledge and experience.* Members of the board shall demonstrate interest in the city's parks and recreational facilities and programs through their own participation or the participation of a member of their immediate family. Consideration should also be given to individuals who have special knowledge or background related to the field of parks and recreation.

(f) *Supporting department.* The supporting department of the board is recreation, culture and parks.

(Ord. No. 97-3086, § 2.17, 7-2-97; Ord. No. 2000-3245, § 1, 5-24-00)

Secs. 2-172--2-175. Reserved.

BOARD**DIVISION 16. YOUTH CENTER ADVISORY BOARD****Sec. 2-186. Established; purpose; powers and duties; composition.**

(a) *Established.* There is hereby established the youth center advisory board, whose purposes, power and duties, composition, membership qualification and general governing regulations are as set forth in this section.

(b) *Purpose.* The board shall be charged with the duty and responsibility to act in an advisory capacity to the commission, city manager and director of parks and recreation in matters pertaining to recreational and operational functions of the city Scott Rakow Youth Center.

(c) *Powers and duties.* The board shall cooperate with other governmental agencies and civic groups in the advancement of sound recreation planning, operation and programming. The board shall be purely advisory and recommendatory regarding the programs and services of the youth center.

(d) *Composition.* The board shall consist of ten members, seven of whom shall be voting members as follows:

Seven individual appointments who must have an affiliation with the Scott Rakow Youth Center, either through past service on the committee or present participation in youth center activities by their children.

Two student resident users of the facility shall serve as nonvoting, ex officio members. One of these student users must attend a middle school and the other must attend a high school. The director of the office of children's affairs shall serve as a nonvoting, ex officio member. The chairperson of the youth center advisory board or his designee shall serve as a nonvoting, ex officio member of the recreational centers and parks facilities board, to be renamed the "parks and recreational facilities board."

(e) *Knowledge and experience.* See subsection (d) of this section.

(f) *Supporting department.* The supporting department of the board is recreation, culture and parks.

(Ord. No. 97-3086, § 2.24, 7-2-97; Ord. No. 2000-3245, § 1, 5-24-00)

Secs. 2-187--2-190. Reserved.

RECEIVED
OFFICE OF THE MAYOR & COMMISSION
CITY OF MIAMI BEACH-3 AM 9:11

TO: LARRY LEVY
CITY MANAGER
FROM: JOSE SMITH
COMMISSIONER
SUBJECT: NORTH BEACH YOUTH CENTER OVERSIGHT COMMITTEE
DATE: 02/02/00

Please draft and place on the next City Commission agenda a resolution creating a "North Beach Youth Center Oversight Committee." The Committee should consist of nine (9) members with the role of monitoring the design, planning, construction and use of the North Beach Youth Center, as well as providing input.

Agenda Item R7I
Date 3-15-00

RESOLUTION NO. 2000-23835

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION
OF THE CITY OF MIAMI BEACH, FLORIDA, CREATING
THE NORTH BEACH YOUTH CENTER OVERSIGHT
COMMITTEE AS AN AD HOC COMMITTEE OF THE
MIAMI BEACH CITY COMMISSION, PRESCRIBING THE
MEMBERS AND THE TERMS OF OFFICE OF THE
MEMBERS, AND THE COMMITTEE'S DUTIES,
FUNCTIONS, POWERS, AND RESPONSIBILITIES.**

WHEREAS, the Mayor and City Commission of the City of Miami Beach, Florida have determined that an Ad Hoc North Beach Youth Center Oversight Committee is needed to serve the City of Miami Beach ("City") to monitor the design, planning, construction, and use of the North Beach Youth Center, as well as providing input to the City Commission on the operation of the North Beach Youth Center.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY
COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that:**

1. A North Beach Youth Center Oversight Committee ("Committee") is hereby created as an Ad Hoc Committee of the Miami Beach City Commission. The Committee shall consist of nine (9) regular voting members, two of whom shall be ex-officio members who shall include a representative from the Parks and Recreational Facilities Board and a representative from the Youth Center Advisory Board. The remaining seven (7) members shall be direct appointments, with the Mayor and City Commissioners each making one (1) individual appointment. Commissioner Jose Smith shall be the liaison to the Committee.

2. All appointments shall be made for a one (1) year term. Members of the Committee shall be appointed based upon their interest and knowledge with regard to parks and recreation issues. Appointments to fill any vacancy on the Committee shall be for the remainder of the unexpired term of office. A member may be removed without cause at any time at the sole discretion

of the City Commission by a majority vote of the entire membership of the City Commission.

3. The general requirements of membership and service on the Committee shall be those as set forth in Section 2-22 of the City Code unless otherwise provided herein.

4. The Committee shall have the following duties, functions, powers, and responsibilities:

- a) To serve in an advisory capacity to the City Commission and monitor the design, planning, construction, and use of the North Beach Youth Center.
- b) To perform such other duties as may from time to time be assigned to it by the City Commission.

5. The work of the Committee will be deemed to be concluded upon the issuance of a certificate of occupancy for the North Beach Youth Center at which time the Committee shall automatically dissolve.

PASSED and ADOPTED this 15th day of March, 2000.

ATTEST:

David Pardee
CITY CLERK


MAYOR

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

 3-9-00
City Attorney **Date**

3:00:02 p.m.

R9H Discussion Regarding The Formation Of A North Beach Youth Center Advisory Board.
(Requested by Commissioner Jose Smith)

ACTION: Discussion held. Item referred to the Neighborhood/Community Affairs Committee without objection. Absent: Commissioners Cruz, Garcia, and Gross. **Vivian Guzman to place on the agenda. Kevin Smith to handle.**

Commissioner Smith stated that with the completion of the Youth Center and the park it is an appropriate time to discuss the formation of a Youth Center Advisory Board, much like the Scott Rakow Youth Center.

Mayor Dermer stated that there is always a concern regarding administratively staffing the board. He asked if it would be easier to have one board with seats designated for each facility.

Commissioner Bower believes there should be separate boards. She suggested that the issue be referred to the Neighborhood/Community Affairs Committee and the Administration present what it has done and its recommendation. She stated that if the Scott Rakow Youth Center board remains, then there must be a board for the North Beach Youth Center. The issue should be reviewed holistically.

Joe Fontana spoke in favor of continuing the Ad Hoc Committee for two years serving as an Advisory Board.